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15	INITHE	LIMITED OTATES DISTRICT COLIDT
16		UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA
17		SAN FRANCISCO DIVISION
18	TELESOCIAL INC.,	Case No. 3:14-cv-03985-JD
19	Plaintiff,	DECLARATION OF ANTHONY MIRENDA
20		IN SUPPORT OF DEFENDANTS' MOTION TO EXCLUDE OPINIONS AND TESTIMONY
21	V.	OF GEORGE FOSTER
22	ORANGE S.A., et al.,	Date: February 16, 2017
23	Defendants.	Time: 10:00 a.m. Ctrm: 11, 19th Floor
24		Judge: Honorable James Donato Trial: April 10, 2017
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27		
28	DECLARATION	OF ANTHONY MIRENDA / NO. 3:14-CV-03985-JD
- 1	DECEMENTION.	. 51 11.1116111 111111111111111111111111

- I, Anthony Mirenda, declare and state as follows:
- I am a partner at the law firm of Foley Hoag LLP and counsel for Defendants Orange S.A.
   ("Orange") and the individual defendants. I submit this declaration in support of the Orange Defendants'
   Motion to Exclude the Opinions and Testimony of George Foster.
- 2. Attached hereto as **Exhibit 1** is a true and correct copy of the Expert Report of George Foster, Ph.D.
- 3. Attached hereto as **Exhibit 2** is a true and correct copy of the Rebuttal of Expert Report of Professor George Foster by Professor Richard Puntillo.
- 4. Attached hereto as **Exhibit 3** is a true and correct copy of excerpts from the certified transcript of the deposition of George Foster, Ph.D. (December 22, 2016).
- 5. Attached hereto as **Exhibit 4** is a true and correct copy of excerpts from the certified transcript of the deposition of Eric Stone (October 12, 2016).
- 6. Attached hereto as **Exhibit 5** is a true and correct copy of excerpts from the certified transcript of the deposition of Bill Waytena (October 20, 2016).
- 7. Attached hereto as **Exhibit 6** is a true and correct copy of an excerpt from "Valuation Multiples: A Primer," published by UBS Warburg, Global Equity Research (November 2001), available at http://www.rgquintero.com/media/91f679831d8e9521ffff80e8ffffe906.pdf.
- 8. Attached hereto as **Exhibit 7** is a true and correct copy of a Telesocial business record, a document titled "Agreement between France Telecom Orange Group & Telesocial for a Demonstration & a Proof of Concept," dated July 30, 2012, produced by Telesocial in this litigation at Bates numbers TS-OG00163190-202.
- 9. Attached hereto as **Exhibit 8** is a true and correct copy of Orange Exhibit 106, a Telesocial business record that is an August 13, 2012 email from Ylva Rahm at Telesocial with an attachment titled "Trial Agreement for Telesocial Services."
- 10. Attached hereto at **Exhibit 9** is a true and correct copy of a Telesocial business record, a document titled "Unsolved issues in the Telesocial-DT CallFriends trial project," produced by Telesocial in this litigation at Bates numbers TS-OG00270705-708.

## Case 3:14-cv-03985-JD Document 181-1 Filed 01/06/17 Page 3 of 3

1	11. Attached hereto at <b>Exhibit 10</b> is a true and correct copy of a Telesocial business record,	
2	an April 14, 2012 email from Eric Stone, produced by Telesocial in this litigation at Bates numbers TS-	
3	OG00483955-956.	
4	12. Attached hereto at <b>Exhibit 11</b> is a true and correct copy of a Telesocial business record, a	
5	May 31, 2012 email from Bill Waytena, produced by Telesocial in this litigation at Bates numbers TS-	
6	OG00482340-342.	
7		
8	I declare under penalty of perjury that the foregoing is true and correct.	
9		
10	Executed in Boston, Massachusetts on January 6, 2017.	
11		
12	By: <u>/s/ Anthony Mirenda</u> Anthony Mirenda	
13		
14		
15	FILER'S ATTESTATION	
16	Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Daralyn J. Durie, attest that concurrence	
17	in the filing of this document has been obtained.	
18	_/s/ Daralyn J. Durie	
19	Daralyn J. Durie	
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